

ANNO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXXI.

An Act to provide for the levying of Rates in Boroughs and Towns having Municipal Corporations in *England* and *Wales*. [17th *July* 1837.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, Authority was given to the Council of any Borough in certain Cases to levy a Borough Rate, and in certain other Cases to levy a Watch Rate, and the same Powers and Authorities were thereby given to them for that Purpose as by Law are given to Justices of the Peace at Sessions with respect to a County Rate: And whereas no Authority is thereby given to the Churchwardens or Overseers of the Poor of any Parish or Place, or other Persons, who may thereby be legally ordered to pay or levy such Rate, to pay the same out of the Poor Rate of such respective Parishes or Places, or otherwise to levy the same upon the Inhabitants thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases where by the said Act or by this Act a Borough Rate or Watch Rate may be made and levied in any Borough, the

6 W. 4. c. 76.

Payment of Watch Rate.

the Council of such Borough may order the Churchwardens and Overseers of every Parish or Place within which such Rate may be levied, or such other Persons as by Law may make a Poor Rate for any such Parish or Place within the Limits of such Borough, to pay the Amount of such Part and Portion of such Rate for which such Parish or Place respectively shall be liable out of the Poor Rate made and collected or to be made or collected for such Parish or Place; or the said Council, instead of ordering such Churchwardens and Overseers or other Persons to pay the same out of the Poor Rate, may order them to make and collect a certain Pound Rate upon and from the Occupiers or Possessors of all rateable Property within which such Parish or Place, for the Amount of the Rate for which such Parish or Place may be liable as aforesaid; and if such Churchwardens, Overseers, and other Persons, upon being so ordered to pay such Rate out of the Poor Rate, or to make and collect a Pound Rate as aforesaid, shall refuse or neglect to do so, the Amount thereof may be made and levied off the Goods of them or any of them by Distress by virtue of a Warrant in that Behalf under the Hand and Seal of the Mayor of such Borough or of any Two Justices of the Peace in and for the same; or if any Person liable to pay such Pound Rate shall neglect or refuse to pay the same, the Amount thereof may be levied upon his Goods by Distress in like Manner.

Council of Borough empowered to levy a Rate for carrying former Act into execution.

II. And be it enacted, That it shall be lawful for the Council of any such Borough, at any Time within Six Calendar Months next after the passing of this Act, to make and levy a Borough Rate for the Purpose of defraying any Expences incurred before the passing of this Act in putting in execution the Provisions of the said Act for regulating Corporations; and every such Rate shall be made, levied, and recovered in the Manner provided by the said Act for regulating Corporations and by this Act.

Regulating the Collection of Borough and County Rates in divided Places.

III. Provided always, and be it enacted, That in every Case in which any Parish or Place liable to support its own Poor shall be partly within and partly without any such Borough, and in the Case of every Extra-parochial Place wholly or partly within any such Borough, the Council of the Borough shall appoint One or more proper Person or Persons to act as Overseer or Overseers within that Part of such Parish or any such Place which is within the Borough, for making, levying, and collecting any such Borough Rate or Watch Rate therein; and in every such Case of a divided Parish or Place, if the Borough is not liable to the County Rate, the Justices of the Peace having Jurisdiction over that Part of such Parish or Place which is not within the Borough shall appoint One or more proper Person or Persons to act as Overseer or Overseers within that Part of such Parish or Place which is not within the Borough, for making, levying, and collecting the County Rate therein; and the Person or Persons so respectively to be appointed shall have the like Powers vested in him or them, and shall be subject to the same Regulations and Penalties, for levying and collecting any such Borough Rate, Watch Rate, or County Rate within that Part of such Parish or

Place for which he or they is or are appointed, as if he or they was or were appointed Overseer or Overseers of the Poor under any Law or Laws now or hereafter to be in force.

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